

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b>		Attorney Docket Number	2472-90-PUS
		First Named Inventor	Warren MIRTSCHING
<b>COMPLETE IF KNOWN</b>			
		Application Number	not yet assigned
		Filing Date	herewith
		Group Art Unit	
		Examiner Name	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed for and for which a patent is sought on the invention entitled:

METHODS OF CONTROLLING MICROORGANISMS IN PACKAGED FOODS

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 10 February 2005 as United States Application Number or PCT International

Application Number PCT/US2005/004639 and was amended on (MM/DD/YYYY)   (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation in part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 (a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's right certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's right certificate(s), or of any Pct international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below

Application Number(s)	Filing Date (MM/DD/YYYY)		
60/543,696	02/10/2005	<input type="checkbox"/>	Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.

**DECLARATION -- Utility or Design Patent Application**

Page 2

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Joint Inventor:  A petition has been filed for this unsigned inventor**DECLARATION -- Utility or Design Patent Application**Name of Inventor:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])      Family Name or Surname

Warren

MIRTSCHING

Inventor's Signature

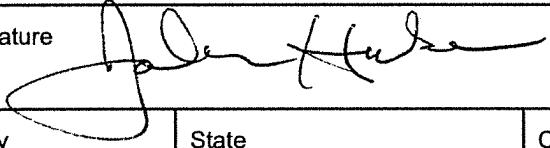
Date **8/7/06**Residence: City  
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United States of America Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB02A or 02LR attached hereto

Name of Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
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